

LINWOOD A. JONES  
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Attorney for Defendant Keith Stewart

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES,

Plaintiff,

vs

KEITH STEWART

Defendant.

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Criminal No.: 08-346 (SDW)

Hon. Susan D. Wigenton

NOTICE OF MOTION TO SUPPRESS STATEMENT  
OF KEITH STEWART ON 2/13/08

TO: AUSA Matthew E. Beck, Esq.  
Office the United States Attorney  
970 Broad Street  
Newark, NJ 07102

PLEASE TAKE NOTICE that on March 5, 2009, at 10::00 a.m. in the forenoon or soon thereafter as counsel may be heard, the undersigned, attorney for defendant Keith Stewart, will apply to the above captioned Court before the Hon. Susan D. Wigenton, U.S.D.J. in, Newark, New Jersey, for an Order Suppressing the Statement of Keith Stewart given on 2/13/08 to law enforcement agents.

PLEASE TAKE FURTHER NOTICE that in support of the within application, the undersigned shall rely upon the annexed Certification of Linwood A. Jones, Esq.

Dated: March 4, 2009

/s/ Linwood A. Jones

LINWOOD A. JONES

Attorney for Defendant Keith Stewart

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CERTIFICATION OF LINWOOD A. JONES

I, Linwood A. Jones, Esq., by way of certification say:

1. I am the attorney for defendant Keith Stewart in the above captioned matter.
2. I was sent a letter dated 2/24/09 with a disc containing the recording of a statement given by Keith Stewart to law enforcement agents on 2/13/08, the date of his arrest (SEE EXHIBIT A).
3. The tape runs approximately 41 minutes.
4. The defendant was never given his Miranda rights.
5. Accordingly, the statement should be suppressed.

**CERTIFICATION**

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: March 4, 2009

/s/ Linwood A. Jones  
LINWOOD A. JONES

Attorney for Defendant Keith Stewart

# **EXHIBIT A**